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11 IN THE UNITED STATES DISTRICT COURT  
12  
13 EASTERN DISTRICT OF CALIFORNIA

14  
15 UNITED STATES OF AMERICA,  
16 Plaintiff,  
17 v.  
18 CAROL MALDONADO VASQUEZ,  
19 Defendant.

20 CASE NO. 1:20-CR-00175-NODJ-BAM

21 STIPULATION TO VACATE TRIAL AS TO  
22 CAROL MALDONADO VASQUEZ AND SET  
23 CASE FOR CHANGE OF PLEA AND ORDER  
24 THEREON

25  
26  
27  
28 **STIPULATION**

29 Plaintiff United States of America, by and through its counsel of record, and defendant, by and  
30 through defendant's counsel of record, hereby stipulate as follows:

31 1. By previous order, this matter was set for a trial on May 14, 2024, at 8:30 a.m.

32 2. On February 16, 2024, Ms. Vasquez substituted her attorney. The prior attorney and the  
33 government are in the process of providing the voluminous discovery to Ms. Vasquez's new attorney.  
34 The parties also anticipate that Ms. Vasquez's new attorney will need additional time to review that  
35 discovery, meet with his client, and conduct independent investigation. Ms. Vasquez's new attorney  
36 also seeks time to discuss a pretrial resolution of the case with the government. Given all the  
37 preparation that is needed, Ms. Vasquez's new attorney cannot be ready for trial on May 14, 2024.  
38 Thus, the parties agree to vacate the trial and set the case for a status conference.

39 3. By this stipulation, defendant now moves to vacate the trial as to Carol Maldonado  
40 Vasquez and to set the case for a status conference on May 8, 2024 at 1:00 p.m.

41 4. The parties agree and stipulate, and request that the Court find the following:

a) The discovery associated with this case includes case includes voluminous investigative reports, wire interceptions recordings and electronic messages, precise location information data, and cellular phone downloads, totaling thousands of pages of discovery and several gigabytes of electronic data.

b) Defense counsel requests the additional time to review the discovery, meet with his client, conduct independent investigation, and discuss a pretrial resolution with the government.

c) The defendant is currently out of custody.

d) Counsel for the defendant believes that failure to grant the above-requested continuance would deny her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

e) The government does not object to the continuance.

f) Time has already been excluded to May 14, 2024. But the parties further believe that time should be excluded, in that failure to grant the requested case schedule would unreasonably deny the defendants continuity of counsel, and unreasonably deny both the defendants and the government the reasonable time necessary for effective preparation, taking into account the parties' due diligence in prosecuting this case. 18 U.S.C. Section 3161(h)(7)(B)(iv). Based on the above-stated findings, the ends of justice served by the schedule as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act. Therefore, the parties request that the Court exclude the time through the status conference on May 8, 2024, from calculations under the Speedy Trial Act.

## IT IS SO STIPULATED.

Dated: February 20, 2024

PHILLIP A. TALBERT  
United States Attorney

By: /s/ JUSTIN J. GILIO

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JUSTIN J. GILIO  
Assistant United States Attorney

1  
2 Dated: February 20, 2024  
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*/s/ Miles Harris*  
Attorney for Defendant  
CAROL MALDONADO VASQUEZ

**ORDER**

6 The request for a continuance is DENIED. All defendants, who have not been set for a Change  
7 of Plea, who have not been sentenced, or who have not been set to be sentenced, must appear at the  
8 March 27, 2024 status hearing at 1:00 in Department 8.

9 Defendant Maldonado Vasquez has not been severed from the remaining defendant(s), and trial  
10 will not be bifurcated as between this defendant and remaining defendant(s). 18 U.S.C. §3161. The  
11 Court will address whether the trial should be continued at the status hearing on March 27, 2024.  
12

13 IT IS SO ORDERED.  
14

Dated: March 4, 2024

*/s/ Barbara A. McAuliffe*

UNITED STATES MAGISTRATE JUDGE